94

HIGH COURT OF CHHATTISGARH AT BILASPUR
Writ Petition No. 158 of 2002

Petitioners

1. Mahadav Sonwani, S/o Shri Ganesh Ram Sonwani, aged about 42 years, R/o Mohan Nagar, Chirmiri, Distt. Korea (C.G.)
2. Tarachand Sagar, S/o Shri Chotelal Sagar, aged about 36 years, R/o Mohan Nagar, Chirmiri, Distt. Korea (C.G.)
3. Gandhi Tandia, S/o Shri Latel Tandia, aged about 40 years, R/o Mohan Nagar, Chirmiri, Distt. Korea (C.G.)
4. Ramsharan Gangey, s/o Vijay Ram Gangey, aged about 34 years, R/o Godaripara village, Chirimiri, Distt. Korea (C.G.)
5. Pyarelal Kuldip, S/o Shri Manglu Kuldip, aged about 41 years, R/o Gram Limtari, Distt. Raipur (C.G.)
6. Tenilal, S/o Shri Sadhram, aged about 41 years, R/o Chirimiri, Kapoor Singh Dafai, Distt. Korea (C.G.)
7. Kheekram, S/o Shri Bhodhan, aged about 42 years, R/o Chirimiri, Kapoor Singh Dafai, Distt. Korea (C.G.)
8. Reshamlal, s/o Shri Shyamlal, aged about 42 years, R/o New Minus Qrr., Block No. 1/2 Chirimiri, Distt. Korea
9. Neelkanth, S/o Shri Bohran, aged about 46 years, R/o Ekta Nagar, Godripara, Chirimiri, Distt. Korea (C.G.)
10. Sevakram, S/o Shri Dhanau, aged about 60 years, Dhamann, Dafai, Chirimiri, Distt. Korea (C.G.)
11. Raju Ganda, S/o Shri Maniram, aged about 30 years, R/o Ajad Nagar, Godripara, Chirimiri, Distt. Korea (C.G.)
12. Devnandan, S/o Kaleshram, aged about 38 years, R/o Ajad Nagar, Godripara, Chirimiri, Distt. Korea (C.G.)
13. Budhram, S/o Chedu, aged about 42 years, R/o Old Minus, Godripara, Chirimiri, Distt. Korea (C.G.)
14. Krishna Kumar, S/o Shri Udal, aged about 26 years, R/o Ajad Nagar, Godripara, Chirimiri, Distt. Korea (C.G.)
15. Jhadiram, S/o Jageshwar, aged about 30 years, R/o Old Godripara,

(95)

Chirimiri, Distt. Korea (C.G.)

16. Salikram, S/o Kartikram, aged about 45 years, R/o Ekta Nagar, Godripara, Chirimiri, Distt. Korea (C.G.)
17. Vishnu Prasad, S/o Shri Nathu Prasad, aged about 39 years, R/o Kapoor Singh Dafai, Chirimiri, Distt. Korea (C.G.)
18. Bahadur, S/o Deendayal, aged about 47 years, R/o Ekta Nagar, Godripara, Chirimiri, Distt. Korea (C.G.)
19. Guman Lal, S/o Shri Sadhram, aged about 39 years, R/o Kapoor Singh Dafai, Chirimiri, Distt. Korea (C.G.)
20. Roshal Lal, S/o Shri Sadhram, aged about 24 years, R/o Kapoor Singh Dafai, Chirimiri, Distt. Korea (C.G.)
21. Maniram, S/o Nathuram, aged about 46 years, R/o Kapoor Singh Dafai, Chirimiri, Distt. Korea (C.G.)
22. Jagatram, S/o Maleshram, aged about 25 years, R.o Doman Hill, Chirimiri, Korea (C.G.)
23. Ramcharit, S./o Shri Kholbehra, aged about 43 years, R/o Sonaoni, Chirimiri, Korea (area Vice President)
24. Narayan, S/o Shri Mono, aged about 27 years, R/o Ajad Nagar, Godripara, Chirimiri, Distt. Korea (C.G.)
25. Amritlal, S/o Shri Jagdish, aged about 28 years, R./o Kapoor Singh Dafai, Chirimiri, Distt. Korea (C.G.)
26. Ghanshyam, S/o Kholbehra, aged about 38 years, R/o New Minus, Chirimiri, Korea (C.G.)

Versus

Respondents

1 The State of Chhattisgarh Through - Secretary, Department of General Administration, Mantralaya, Raipur, Distt. Raipur (C.G.)
2 Union of India, Through Secretary, Tribal Development, New Delhi.
3. Rashtriya Anusuchit Jati Tatha Anusuchit Jan Jati Tatha Anusuchit Jan Jati Ayog, Bharat Sarkar, 5th Floor, Loknayak Bhawan, New Delhi 110003
4. Adim Jati Anusandhan Sansthan, (A Govt. of Chhattisgarh Undertaking), Through its Director, Raipur (C.G.)
5. Commissioner, Tribal Development

(96)

Chhattisgarh, Raipur (C.G.)

6. State of C.G., Through-Tribal Welfare Deptt., Chhattisgarh, Raipur (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

SB: Hon'ble Mr. Justice **Satish K. Agnihotri**

Shri Manindra Shrivastava, Senior Advocate with Shri Manoj Paranjape, Advocate for the petitioners.
Shri A.S. Kachhawaha, Govt. Advocate for the respondents No. 1, 5 and 6/State.

ORDER
(Passed on this 26th day of June, 2007)

1. Learned counsel appearing for the petitioners submits that the Sonwani Community is represented through the petitioner No. 1. He has made a representation to the State Government for consideration of their case asto whether the community, which is purportedly "Ganda", comes within the purview of Scheduled Tribes Community. He further submits that the representation was made long back, but the petitioners have not received any response till date.

2. The petitioners seek liberty of this Court to make detailed representation afresh to the State Government for consideration of their case in accordance with law, to which learned counsel appearing for the respondents No. 1, 5 and 6 has objection.

3. In view of the above limited prayer made by learned counsel appearing for the petitioners, the liberty is granted to the petitioners to make a detailed representation, raising all their grievances to the competent authority/State Government. In the event, the representation is made, the competent authority/ State Government may consider the same in accordance with law, the policy of the Government and on its own merit, within a period of six months from the date of receipt of the representation along with a copy of this order.

4. With the above direction, the writ petition stands disposed of. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

B/-